Statement-II

The list of hazardous occupation and number of children employed therein

Sl. No.	Name of Occupation/Processes	No. of children employed
1.	Pan, Bidi & Cigarettes	252574
2.	Construction	208833
3.	Domestic workers	185505
4.	Spinning/weaving	128984
5.	Brick-klins, tiles	84972
6.	Dhabas/Restaurants/Hotels/Motels	70934
7.	Auto-workshop, vehicle repairs	49893
8.	Gem-cutting, jewellery	37489
9.	Carpet-making	32647
10.	Ceramic	18894
11.	Agarbatti, Dhoop & Detergent making	13583
12.	Others	135162
	TOTAL :	1219470*

* This data is indicative as the description of hazardous occupations and processes as given in Child Labour (Prohibition & Regulation) Act, 1986 does not entirely match with the occupational classification in the Census Data.

Labourers of Orissa in tea plantation in Assam

†3774. SHRI RUDRA NARAYAN PANY: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government are aware that a large number of labourers of Orissa are working in the tea plantations of Assam;

†Original notice of the question was received in Hindi.

(b) if so, the steps being taken by the Ministry to protect the interests of these people, despite the fact that they have now settled in that State; and

(c) whether negotiations have been started in this regard with the State Government?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES): (a) As per the information furnished by the State Government of Assam, a large number of workers of Orissa origin were brought to Assam by the British or they themselves migrated to Assam for employment in Tea Gardens in the ninteenth and by the beginning of twentieth Century. Their descendant workers are now permanently settled in Assam.

(b) and (c) The service conditions of workers in the Tea Industry are protected through various Industrial and Social Security legislations. Among them the Plantations Labour Act, 1951 is an important legislation. The facilities provided to tea estate labour under this Act are Housing, Medical, Creches, Drinking Water etc. In addition certain amenities like Food grains, Fuel and Dry Tea etc. are provided by virtue of existing agreement and practices.

Workers of the tea industry are also covered by all Industrial and Social Security legislations like The Workmen's Compensation Act, 1923; The Payment of Gratuity Act, 1972; The Employee's Provident Fund & Miscellaneous Provisions Act, 1952 (Assam Tea Plantation Provident Fund, Pension Fund and Deposit Link Insurance Fund Scheme Act, 1955 only for Assam); The Payment of Bonus Act, 1965; The Maternity Benefit Act, 1961; The Payment of Wages Act, 1936; The Equal Remuneration Act, 1976; The Industrial Disputes Act, 1947; The Factories Act, 1948 and The Industrial Employment (Standing Order) Act, 1946. The respective State Governments through their Labour Directorates/Departments are the appropriate authorities for implementation of the provisions of these Acts and monitoring of progress.

The workers of the industry are represented by organised Unions. Industry wages are settled through bipartite periodic settlements. The Unions have also been able to secure for the workers through agreements, electrification of labour quarters, skill-based categorization, etc. Workers' rights are, therefore, protected through legislation as well as collective bargaining.

No action by EPFO against defaulting employers

3775. PROF. RAM DEO BHANDARY: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that Employees Provident Fund Organisation was not taken any timely action to realize the EPF and other dues, as per existing provisions/instructions issued from Head Office against the defaulting employers, specially top 50 defaulters belonging to private sector; and

(b) which are those top 50 defaulting establishments, with their details, such as amount so far assessed under Section 7A, 7Q and 14B of the EPF and M.P. Act, 1952, and amount not assessed, with period of default, amount due and action taken?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES): (a) and (b) No, Sir. On detection of default by an establishment, action is taken under section 7A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 for assessment of dues. The dues under Section 7Q and Section 14B of the Act are determined with reference to the date of payment of contribution. Timely action to recover the dues as well as penal action is taken against the defaulting establishments.

The details of the top 50 private sector defaulting establishments are given in the Statement.